



June 26, 2002

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

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JUN 27 2002

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Cheryl Parrino
Chief Executive Officer
Universal Service Administrative Company
2120 L. Street, NW Suite 600
Washington, D.C. 20037

**Re: Certification for Universal Service Funds
CC Docket No. 96-45.**

Dear Ms. Dortch and Ms. Parrino:

On May 7, 2002, the New Mexico Public Regulation Commission designated Western Wireless Corporation ("Western Wireless") as an eligible telecommunications carrier ("ETC") for purposes of being eligible to receive state and federal universal service support.

Pursuant to 47 U.S.C. § 254(e) and 47 C.F.R. §§ 54.313 and .314, Western Wireless is required to file an annual certification with the Administrator and the Commission stating that all federal high-cost support provided to it within New Mexico will be used only for the provision, maintenance, and upgrading of facilities and services for which the support is intended.

Please find attached the sworn affidavit of Gene DeJordy, attesting to the use of universal service support pursuant to section 254(e) of the 1996 Act.

Please call me if you have questions.

Sincerely

A handwritten signature in cursive script that reads 'Suzie Rao'.

Suzie Rao
Regulatory Counsel

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DESIGNATION OF COMMON CARRIERS
AS ELIGIBLE TELECOMMUNICATIONS
CARRIERS (ETC) TO RECEIVE FEDERAL
UNIVERSAL SERVICE FUNDS PURSUANT
TO THE FEDERAL COMMUNICATIONS
COMMISSION'S FOURTEENTH REPORT
AND ORDER ADOPTING A STATE
CERTIFICATION PROCESS

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

STATE OF WASHINGTON
COUNTY OF KING

DECLARATION OF GENE DEJORDY

1. My name is Gene DeJordy. My title is Vice President, Regulatory Affairs, Western Wireless Corporation. My business address is 3650 – 131st Ave., S.E., Suite 400, Bellevue, Washington 98006, and my business telephone number is (425) 586-8055.

2. WWC License LLC, a wholly-owned subsidiary of Western Wireless Corporation (both referred to as "Western Wireless"), is a commercial mobile radio service ("CMRS") carrier that is not subject to rate and entry regulation by state commissions pursuant to Section 332(c)(3) of the Communications Act of 1934, as amended ("Communications Act"). In New Mexico, Western Wireless was designated as an eligible telecommunications carrier ("ETC") in certain non-rural telephone company exchanges and certain rural telephone company study areas in Utility Case No. 2921, Docket No. 98-484-TC by the New Mexico Public Regulation Commission ("State Commission"), for purposes of receiving federal and state universal service support. See In the Matter of GCC License Corporation Petition (hereinafter referred to as "Western Wireless") for Designation as an Eligible

Telecommunications Carrier, Final Order, New Mexico Docket No. 98-484-TC, by order dated May 7, 2002. Section 254(e) of the Communications Act, 47 U.S.C. § 254(e), provides that ETCs receiving universal service funding must “use that support only for the provision, maintenance, and upgrading of facilities and services for which the support is intended.” To implement this provision, the Federal Communications Commission (“FCC”) adopted a rule providing that an ETC may receive certain types of federal universal service funding only if the state commission files a certification that all federal high-cost support provided to the carrier will be used as required in Section 254(e). 47 C.F.R. §§ 54.313 – 54.314.

3. The FCC has stated that carriers that are not subject to rate regulation by state commissions “may formulate plans to ensure compliance with section 254(e), and present those plans to the state, so that the state may make the appropriate certification to the Commission.” Federal-State Joint Board on Universal Service, *Ninth Report and Order and Eighteenth Order on Reconsideration*, 14 FCC Rcd 20432, ¶ 97 (rel. Nov. 2, 1999); Federal-State Joint Board on Universal Service, *Fourteenth Report and Order and Twenty-Second Order on Reconsideration*, 16 FCC Rcd 11244 ¶ 188 (rel. May 23, 2001).

4. In New Mexico, Western Wireless will provide universal service in the manner consistent with the rules and orders of the FCC and State Commission. As certified herein, Western Wireless will utilize all federal high-cost universal service support that it will receive in its designated ETC service areas in New Mexico only for the provision, maintenance, and upgrading of facilities and services for which the support is intended.

5. First, Western Wireless will use federal high-cost universal service funds to provide affordable universal service.

6. Second, Western Wireless will use federal high-cost universal service funds to support the deployment of the facilities used to offer the supported universal service.

7. Third, Western Wireless will use federal high-cost universal service funds to support the upgrading and maintenance of the network facilities to the extent necessary to provide the supported service. Western Wireless will extend and expand, as necessary, the capability of its facilities to support universal service customers. To ensure that it provides high-quality service to all universal service customers – particularly customers in remote areas who may be distant from existing Western Wireless cell sites – Western Wireless will expand, as necessary, its cellular network facilities, possibly including the installation of additional cell sites, transmitters, and receivers.

8. All of the federal high cost universal service funds that Western Wireless receives will be used to support one or more of the programs described above. Accordingly, Western Wireless will be in compliance with 47 U.S.C. § 254(e).

I declare under penalty of perjury that the foregoing is true and correct.


Gene DeJordy

SWORN TO AND SUBSCRIBED BEFORE ME, the undersigned authority, on this
the 26 day of June, 2002.

Dorothy J. Kelly
Notary Public

State of Washington

SEAL:

